

441—25.11 (331) Definitions.

“Access point” means a part of the service system or the community that shall be trained to complete applications for persons with a disability and forward them to the central point of coordination. Access points may include, but need not be limited to, providers, public or private institutions, advocacy organizations, legal representatives, and educational institutions.

“Applicant” means a person who applies to receive services and supports from the service system.

“Assistive technology account” means funds in contracts, savings, trust or other financial accounts, financial instruments, or other arrangements with a definite cash value that are set aside and designated for the purchase, lease, or acquisition of assistive technology, assistive technology services, or assistive technology devices. Assistive technology accounts must be held separately from other accounts. Funds must be used to purchase, lease, or otherwise acquire assistive technology services or devices for a working person with a disability. Any withdrawal from an assistive technology account other than for the designated purpose becomes a countable resource.

“Authorized representative” means a person designated by the consumer or by Iowa law to act on the person’s behalf in specified affairs to the extent prescribed by law.

“Board” means a county board of supervisors.

“Central point of coordination (CPC)” means the administrative entity designated by a board, or the boards of a consortium of counties, to act as the single entry point to the service system as required in Iowa Code section 331.440.

“Clinical assessment” means those activities conducted by a qualified professional to identify the consumer’s current level of functioning and to identify the appropriate type and intensity of services and supports.

“Commission” means the mental health, mental retardation, developmental disabilities, and brain injury commission established in Iowa Code section 225C.5.

“Consortium” means two or more counties that join together to carry out the responsibilities of this division.

“Consumer” means a person who is eligible to receive services and supports from the service system.

“Countable resource” means real or personal property that has a cash value that is available to the owner upon disposition and is capable of being liquidated.

“Countable value” means the equity value of a resource, which is the current fair market value minus any legal debt on the item.

“County” means a single county or a consortium of counties legally organized to develop and implement the county management plan.

“County management plan” means the county plan, developed pursuant to Iowa Code section 331.439, for organizing, financing, delivering, and evaluating mental health, mental retardation, and developmental disabilities services and supports in a manner that deliberately seeks to control costs while delivering high-quality mental health, mental retardation, and developmental disabilities services

and supports. The plan shall consist of three parts: (1) a policies and procedures manual, (2) a three-year strategic plan, and (3) an annual plan review.

“County of residence” means the county in Iowa where, at the time an adult applies for or receives services, the adult is living and has established an ongoing presence with the declared, good-faith intention of living permanently or for an indefinite period. The county where a person is “living” does not mean the county where a person is present for the purpose of receiving services in a hospital, a correctional facility, a halfway house for community corrections or substance abuse treatment, a nursing facility, an intermediate care facility for persons with mental retardation, or a residential care facility or for the purpose of attending a college or university. For an adult who is an Iowa resident and who falls within the exclusion for county where a person is “living” as described in this rule, the county where the adult is physically present and receiving services shall be the county of residence. The county of residence of an adult who is a homeless person is the county where the adult usually sleeps.

“CPC administrator” means a person who possesses a baccalaureate degree from an accredited school and has demonstrated competency in human services program administration and planning and has two years of experience working with people with disabilities. A person continually employed by a county to implement a central point of coordination process or to perform similar duties, prior to April 1, 1996, shall be considered to be a qualified CPC administrator. This exemption shall only be valid for a person initially appointed as CPC administrator for fiscal year 1997. An individual employed under this exemption and continually employed as a CPC administrator may be employed by any county as a CPC administrator.

“Department” means the Iowa department of human services.

“Director” means the director of the Iowa department of human services.

“Emergency service” means a service needed immediately to protect the life or safety of a consumer or others.

“Evaluation” means evaluation services as described in 441—subrule 24.4(16).

“Exempt resource” means a resource that is disregarded in the determination of eligibility for public funding assistance and in the calculation of client participation amounts.

“Household,” for consumers who are 18 years of age or over, means the consumer, the consumer’s spouse or domestic partner, and any children, stepchildren, or wards under the age of 18 who reside with the consumer. For consumers under the age of 18, “household” means the consumer, the consumer’s parents (or parent and domestic partner), stepparents or guardians, and any children, stepchildren, or wards under the age of 18 of the consumer’s parents (or parent and domestic partner), stepparents, or guardians who reside with the consumer.

“Income” means all gross income received by the consumer’s household, including but not limited to wages, income from self-employment, retirement benefits, disability benefits, dividends, annuities, public assistance, unemployment compensation, alimony, child support, investment income, rental income, and income from trust funds.

“Individualized services” means services and supports that are tailored to meet the individual needs of the consumer.

“Legal settlement” is as defined in Iowa Code sections 252.16 and 252.17.

“Liquid assets” means assets that can be converted to cash in 20 days. These include but are not limited to cash on hand, checking accounts, savings accounts, stocks, bonds, cash value of life insurance, individual retirement accounts, certificates of deposit, and other investments.

“Managed care” means a system that provides the coordinated delivery of services and supports that are necessary and appropriate, delivered in the least restrictive settings and in the least intrusive manner. Managed care seeks to balance three factors:

1. Achieving high-quality outcomes for participants.
2. Coordinating access.
3. Containing costs.

“Managed system” means a system that integrates planning, administration, financing, and service delivery. The system consists of the financing or governing organization, the entity responsible for care management, and the network of service providers.

“Management organization” means an organization contracted to manage part or all of the service system for a county.

“Medical savings account” means an account that is exempt from federal income taxation pursuant to Section 220 of the United States Internal Revenue Code (26 U.S.C. §220) as supported by documentation provided by the bank or other financial institution. Any withdrawal from a medical savings account other than for the designated purpose becomes a countable resource.

“Nonliquid assets” means assets that cannot be converted to cash in 20 days. Nonliquid assets include, but are not limited to, real estate, motor vehicles, motor vessels, livestock, tools, machinery, and personal property.

“Provider” means a person or group of persons or agency providing services for people with disabilities.

“Qualified professional” means a person who has education, training, licensure, certification, or experience to make the particular decision at issue as required by federal or state law.

“Resources” means all liquid and nonliquid assets owned in part or in whole by the consumer household that could be converted to cash to use for support and maintenance and that the consumer household is not legally restricted from using for support and maintenance.

“Retirement account” means any retirement or pension fund or account listed in Iowa Code section 627.6(8) “f.”

“Retirement account in the accumulation stage” means a retirement account into which a deposit was made in the previous tax year. Any withdrawal from a retirement account becomes a countable resource.

“Screening” means the process used by the central point of coordination to determine eligibility for the service system.

“Service coordinator” means a person as defined in rule 441—22.1(225C). For purposes of these rules this may include department social workers providing social casework as defined in rule 441—130.6(234), county caseworkers, county social workers, or qualified case managers as defined in rule 441—24.1(225C).

“Services fund” means the county mental health, mental retardation, and developmental disability services fund created in Iowa Code section 331.424A, subsection 2.

“Service system” refers to the services and supports administered and paid from the county mental health, mental retardation, and developmental disability services fund.

“State case status” is the status of a person who does not have a county of legal settlement as defined in Iowa Code sections 252.16 and 252.17.

“System principles” means:

1. *“Choice”* which means the consumer or authorized representative chooses the services, supports, and goods needed to best meet the consumer’s individual goals and accepts the responsibility and consequences of those choices.
2. *“Community”* which means that the system ensures the rights and abilities of all consumers to live, learn, work, and recreate in natural communities of their choice.
3. *“Consumer empowerment”* which means that the service system ensures the rights, dignity, and ability of consumers and their families to exercise choices, take risks, provide input, and accept responsibility.

“Unique identifier” means the social security number or the personal identifier for a consumer determined using a methodology adopted by the state-county management committee.

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